

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

<p>SUMMIT CARBON SOLUTIONS, LLC,</p> <p>Petitioner,</p> <p>v.</p> <p>IOWA UTILITIES BOARD,</p> <p>Respondent.</p> <p>and</p> <p>SIERRA CLUB IOWA CHAPTER and OFFICE OF CONSUMER ADVOCATE,</p> <p>Intervenors.</p>	<p>Case No. CVCV062900</p> <p>RESPONDENT IOWA UTILITIES BOARD'S NOTICE OF UNAVAILABILITY OF WITNESS AND CONSENT TO CONTINUANCE</p>
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COMES NOW Respondent Iowa Utilities Board (Board), by and through its undersigned counsel, and gives notice to the Court that Board Chair Geri Huser is unavailable to testify on July 7, 2022, the date now set for trial in this matter and respectfully states:

1. The Sierra Club, Iowa Chapter (Sierra Club) has issued a subpoena in this proceeding naming Board Chair Geri Huser as a witness in the trial set for 1:30 p.m. on July 7, 2022.
2. On July 7, 2022, the undersigned counsel received information that Board Chair Geri Huser is unable to testify at the trial today due to illness.
3. On this date, Counsel has notified the attorneys for the Office of the Consumer Advocate and Summit Carbon Solutions LLC of the potential unavailability of Board Chair Huser.
4. Counsel has attempted to notify the Sierra Club but has been unable to reach attorney Wally Taylor as of the time of this filing.

5. As the witness is being called by the Sierra Club, the Board defers to the Sierra Club in regard to whether the unavailability of the witness warrants a continuance in this matter but hereby consents to such continuance if warranted.

6. The Board further consents to such order as may be requested to conform the issued subpoena to any modified date for trial.

WHEREFORE, Respondent Iowa Utilities Board respectfully requests that the Court issue such orders as deemed appropriate in the circumstances.

Respectfully submitted,

/s/ Jon Tack
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ALL PARTIES SERVED ELECTRONICALLY